IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 25249 of 2004

Between:

G.Vimala W/o. Late Venkat Rao
C/o. G. Surender Nath, Dinkar Medicals, Opp. DSRH Govt. Hospital,
Nellore-524 004.

..... PETITIONER

AND

1 General Manager (Admn.) A.P. Genco Vidyut soudha,
Hyderabad.
2 Deputy Secretary (Estt.) A.P.Genco Vidyut soudha
Hyderabad.
3 Chief Engineer (Electrical) (O & M) AP Genco, RTPP, VV Reddy Nagar
Kadapa.
4 Accounts Officer, O/o. Superintendent Engineer (Operation)
A.P.Transco, Nellore.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, direction or order more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not extending the benefit of the alternative scheme provided in memo No.DM(IR)/PO-II/1/887/91-5 dt.09-10-1992 is illegal and contrary to law consequently direct the respondents to extend the benefit under alternative scheme and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner:MR.M.SUBRAHMANYAM

Counsel for the Respondent No.: SMT.K.SESHARAJYAM

The Court at the stage of admission made the following :

ORDER:

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Declaring the action of the respondents in not extending the benefits of the alternative scheme provided in memo No.DM(IR)/PO-**/1/887/91-5 dated 9-10-1992 as illegal and contrary to law, the present writ petition is filed.

Heard the learned counsel appearing for the petitioner and also the learned standing counsel appearing for the respondents.

The representation of the petitioners has been recommended to the General Manager of the respondents' corporation by the Chief Engineer in proceedings CE/O&M/RTPP/ADM/DM (HR)/AM(HR)
/FP/ D.No.5382/03, dated 29-03-2004 for taking action for sanction of relief under alternative scheme. Therefore, it is for the first respondent to take appropriate decision in pursuance of the recommendations made by the third respondent. The petitioner's fitment for the scheme provided in memo No. DM(IR)PO-II/1/887/91-5 dated 9-10-1992 has to be determined and decided by the first respondent.

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the respondents to take appropriate action in accordance with the provisions of the Act within a period of eight weeks from the date of receipt of a copy of this order.

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K.C.BHANU, J.

Dt:22-02-2005.

Rns.

To

1 The General Manager (Admn.) A.P. Genco Vidyut soudha,

Hyderabad.

2 The Deputy Secretary (Estt.) A.P.Genco Vidyut soudha
Hyderabad.

3 The Chief Engineer (Electrical) (O & M) AP Genco,

RTPP, VV Reddy Nagar, Kadapa.

4 The Accounts Officer, O/o. Superintendent Engineer (Operation)
A.P.Transco, Nellore.

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